

## PROPOSED KAIPARA DISTRICT PLAN

FS58

### FORM 6 – FURTHER SUBMISSION

To Kaipara District Council – [districtplanreview@kaipara.govt.nz](mailto:districtplanreview@kaipara.govt.nz)

#### 1. Further Submitter details

*This further submission is made on behalf of*

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#### 2. Eligibility to make a further submission

We are persons who have interest in the proposal greater than the interest that the general public has.

#### 3. Our reasons for selecting the above category are:

We are co-owners of a 423ha block of land in the Brynderwyn Range largely covered in mature and regenerating indigenous vegetation. It is accessed off King Road, Mangawhai. We have been owners for 38 years and have a house there.

Our property falls within the Outstanding Natural Landscape ONL14 Bream Tail / Brynderwyn Ranges. It is also within the Brynderwyn Hills Forest Complex identified in DOC's Waipu Ecological District PNAP report as being the most ecologically diverse site in terms of forest and shrubland diversity.

Provisions in the Proposed District Plan have the potential to detrimentally affect the Brynderwyn Range and surrounds and their Outstanding Natural Landscape and ecological values.

#### 4. Request to be heard at hearings

We wish to be heard at the hearing in support of our further submissions

*John and Catherine Hawley*

*Date: 12 December 2025*

## 5. Further submissions on the Proposed Kaipara District Plan

	Name of original submitter	Original submitter number	Original submission point number	Support or oppose	Reasons for supporting or opposing	I seek that the whole or part of the submission be allowed/disallowed. Details as below
FS58.1	Evolve Planning & Landscape Architecture	50	50.20	Support	Amendments to SUB-R7 will strengthen protection for Outstanding Natural Landscapes. Provisions are needed to require the protection of ONLs at the time of subdivision	Allow parts of the submission. <ul style="list-style-type: none"> <li>Proposed rules are too permissive</li> <li>Amend activity status</li> <li>Add assessment criteria in relation to character and amenity values</li> </ul>
FS58.2	Evolve Planning & Landscape Architecture	50	50.21	Support	Including a rule for subdivisions within ONLs at the time of subdivision will provide for their protection and ensure development is appropriate. Lack of such a provision does not meet requirements of RMA s.6(b)	Allow parts of the submission. <ul style="list-style-type: none"> <li>Proposed rules are too permissive and there is no ability to decline</li> <li>Amend activity status</li> <li>Include rule at the time of subdivision in ONLs</li> </ul>
FS58.3	Evolve Planning & Landscape Architecture	50	50.27	Support	In NFL-R2.5 the references to lots 1-4 and 6-14 as shown on the Survey Plan consented by RM090103 for lot 2 DP 316176 date back to an Environment Court decision of 17/4/2015. There is no need to include this site specific exclusion in the Proposed District Plan or references to "any subsequent s127 variations for Lot 2" (which are unknown). For any application made in future relating to this lot there should be reliance on the consent granted and the conditions it imposed.	Allow parts of the submission. <ul style="list-style-type: none"> <li>Delete this site specific exclusion with its references from the Proposed District Plan's Outstanding Natural Features and Landscapes chapter</li> </ul>
FS58.4	M Vilde Wild Ecology Ltd	125	125.14	Support	Adding new rules limiting indigenous vegetation clearance as proposed within significant indigenous vegetation areas under Appendix 5 of the NRPS will serve to better protect sensitive and significant biodiversity.	Allow whole of the submission
FS58.5	Royal Forest & Bird Protection Society of NZ	149	149.44	Support	ECO-R1 f) allowing 1000m2 indigenous vegetation clearance as a permitted activity in all zones is excessive and could have significant adverse effects on indigenous biodiversity, especially in the Brynderwyns. Amount should be reduced or deleted.	Allow part of the submission with particular reference to ECO-R1 f) <ul style="list-style-type: none"> <li>The submitter seeks deletion.</li> </ul>

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FS58.6	Royal Forest & Bird Protection Society of NZ	149	149.58	Support	NFL-P4 should be amended to give greater emphasis to the retention of indigenous vegetation in ONLs and restrictions on its alteration and clearance	Allow whole of the submission
FS58.7	Royal Forest & Bird Protection Society of NZ	149	149.60	Support	Requiring compliance with standards NFL-S4 (earthworks) and NFL-S5 (indigenous vegetation clearance) for all permitted activities and cross referenced to the relevant rules NFL-R4 and NFL-R7 will better protect ONLs.	Allow whole of submission
FS58.8	Royal Forest & Bird Protection Society of NZ	149	149.63	Support	Limiting the clearance of indigenous vegetation per site In NFL-S5 will reduce the potential for cumulative adverse effects and protect the characteristics, values and qualities of ONLs and ONFs	Allow parts of the submission <ul style="list-style-type: none"> <li>• Ensure proposed limit is outside areas meeting NRPS significance criteria</li> <li>• Decrease permitted 150m2 of vegetation clearance per site</li> </ul>
FS58.9	Royal Forest & Bird Protection Society of NZ	149	149.64	Support	The 20% increase in the gfa enabled by NFL-S6 is considered too large, particularly in situations where an existing building or structure is already large, eg. 350m2. Such an increase will have adverse effects on the ONL, contrary to the need to protect it.	Allow whole of submission
FS58.10	Cato Bolam Consultants Ltd	217	217.43	Support	ECO-R1 f allows 1000m2 indigenous vegetation clearance as a permitted activity in all zones. This is excessive and could have significant adverse effects on indigenous biodiversity, and fails to protect large areas of indigenous vegetation Amount should be reduced or deleted.	Allow part of the submission <ul style="list-style-type: none"> <li>• ECO-R1 f Reduce clearance of indigenous vegetation allowed as a permitted activity</li> </ul>
FS58.11	Cato Bolam Consultants Ltd	217	217.44	Support	In ECO-R2 the provisions for clearance of indigenous vegetation and in one calendar year is excessive. A reduction in both will better protect biodiversity.	Allow whole of submission

	Name of original submitter	Original submitter number	Original submission point number	Support or oppose	Reasons for supporting or opposing	I seek that the whole or part of the submission be allowed/disallowed. Details as below
FS58.12	M Fyson	224	224.1	Support	In NFL-R2.5 the references to lots 1-4 and 6-14 as shown on the Survey Plan consented by RM090103 for lot 2 DP 316176 date back to an Environment Court decision of 17/4/2015. There is no need to include this site specific exclusion in the Proposed District Plan or references to "any subsequent s127 variations for Lot 2" (which are unknown). For any application made in future relating to this lot there should be reliance on the consent granted and the conditions it imposed.	Allow part of the submission. <ul style="list-style-type: none"> <li>Delete NFL-R2.5 from the Proposed District Plan's Outstanding Natural Features and Landscapes chapter</li> </ul>
FS58.13	Mangawhai Heads Holdings Limited	276	276.1	Oppose	There is no justification to include this site specific exclusion in the Proposed District Plan or references to "any subsequent s127 variations for Lot 2" (which are unknown or have not yet been applied for). In NFL-R2.5 the references to lots 1-4 and 6-14 as shown on the Survey Plan consented by RM090103 for lot 2 DP 316176 relate to an Environment Court decision of 17/4/2015. For any application made in future relating to this lot there should be reliance on any consent granted and the conditions imposed.	Disallow whole submission
FS58.14	Director General of Conservation	304	304.71	Support	The inclusion of a new policy outlining the specific assessment criteria of the NRPS Appendix 5 will ensure applications are assessed consistently, reflecting the need to protect significant indigenous vegetation	Allow whole of submission
FS58.15	Director General of Conservation	304	304.73	Support	ECO-R1 f allows 1000m2 indigenous vegetation clearance as a permitted activity in all zones. This is excessive and could have significant adverse effects on indigenous biodiversity and fails to protect large areas of indigenous vegetation. Amount should be reduced or deleted	Allow part of the submission <ul style="list-style-type: none"> <li>ECO-R1 f Reduce clearance of indigenous vegetation allowed as a permitted activity</li> </ul>

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FS58.16	Director General of Conservation	304	304.92	Support	Permitting 150m2 indigenous vegetation clearance in any 12 month period in an ONL fails to recognise the protection afforded by RMA s.6(c). Therefore the permitted activity status proposed in NFL-R3 is inadequate.	Allow whole of submission
FS58.17	Horizon Surveying & Land Development	315	315.60	Support	There are minimal assessment criteria in SUB-S14 to provide for appropriate consideration of the effects of a subdivision of a site within a natural character, coastal environment, ONL or ONF. The addition of sufficient standards is needed in recognition of the significance of these areas.	Allow whole of submission
FS58.18	Northland Regional Council	332	332.14	Support	ECO-O3 needs to reflect biodiversity outcomes as per the NRPS and this includes enhancing indigenous biodiversity and the management of pest species to reduce the threat to at risk species.	Allow whole of submission
FS58.19	Northland Regional Council	332	332.21	Support	In ECO-R2 the provisions for clearance of indigenous vegetation and in one calendar year is excessive. A reduction in both will better protect biodiversity.	Allow whole of submission